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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,743	01/11/2002	John W. Ladd	4584.2US (00-0787.2)	3846
24247	7590	03/14/2006	EXAMINER	
TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110				CHANG, RICK KILTAE
		ART UNIT		PAPER NUMBER
				3729

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/044,743	LADD, JOHN W.	
	Examiner	Art Unit	
	Rick K. Chang	3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 December 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 10 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-9 and 11-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umbaugh (US 3,855,693).

Umbaugh discloses effecting a magnetic drawing by positioning a second member 20 of a contact 37 toward a first member 36 with a second member 14, except for effecting the magnetic drawing by positioning a second member opposite the first member toward the contact. It would have been obvious to one having ordinary skill in the art at the time the invention was made to effect the magnetic drawing by positioning the second member 14 opposite 36 toward 37, since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Einstein*, 8 USPQ 167. Umbaugh discloses in Fig. 4 a plurality of chips making connections and they all inherently and obviously require power and ground contacts, as well as constant amount of current.

3. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umbaugh (US 3,855,693) as applied to claims 1-9 and 14-17 above, and further in view of Butherus et al (US 3,612,955).

Umbaugh fails to disclose providing a second member opposite the substrate from the first member and magnetically drawing the first and second members to other first and second members.

Butherus discloses in Figs. 1B and 2 a semiconductor device 59 surrounded with ferromagnetic materials, as well as second member 45 and 46, to provide attraction both vertically and laterally (col. 3, lines 2-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Umbaugh by providing a second member opposite the substrate from the first member and magnetically drawing the first and second members to other first and second members, as taught by Butherus, for the purpose of saving space for other electronic components.

4. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umbaugh (US 3,855,693) as applied to claims 1-9 and 14-17 above, and further in view of Official Notice.

Umbaugh teaches the invention as described with respect to the claims above. Umbaugh fails to disclose heating either cyclically or variously.

Official Notice is taken that it is well known in the art to provide heat during burn-in testing either cyclically or variously to purposely fail the component.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Umbaugh by heating either cyclically or variously, as taught by Official Notice, for the purpose of purposely failing the components.

Response to Arguments

5. Applicant's arguments filed 12/27/05 have been fully considered but they are not persuasive.

It is clearly shown in Fig. 3 that 30 and 14 are in direct contact due to the continued magnetic field generated by 38 after 36 and 37 have been melted. Since claims do not preclude 20 and 14 having 36 and 37, 20 and 14 at least temporarily maintain the electrical contact.

Interviews After Final

6. **Applicant note that an interview after a final rejection must be submitted briefly in writing the intended purpose and content of the interview (the agenda of the interview must be in writing). Upon review of the agenda, the Examiner may grant the interview if the examiner is convinced that disposal or clarification for appeal may be accomplished with only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations will be denied. See MPEP 714.13 and 713.09.**

Conclusion

7. **Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional). Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.**

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM, Monday through Thursday.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.



RICHARD CHANG
PRIMARY EXAMINER

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RC

March 7, 2006